



CERTIFICATE OF MAILING BY EXPRESS MAIL PURSUANT TO 37 C.F.R. §1.10

I hereby certify that this Information Disclosure Statement, pursuant to 37 C.F.R. §1.10, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on:

Date:

October 8, 2001

By:

Julie A. Eschke
Signature of person depositing U.S. Mail

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Ruan, et al.	Docket No.:	12218.1100
Serial No.:	09/902,883	Filed:	July 11, 2001
Group Art Unit:	2874	Examiner:	S. Song
Title:	OPTICAL MEMS SWITCHING ARRAY WITH EMBEDDED BEAM-CONFINING CHANNELS AND METHOD OF OPERATING SAME		

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, the reference or references listed and identified on the attached PTO-1449 based form are being submitted herewith for consideration by the Examiner. A copy of the references was previously submitted or cited in the parent application Serial No. 09/496,446, filed on February 2, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Therefore, according to 37 C.F.R. § 1.98(d), a copy of the cited references is not required, and is not included herewith.

The reference or references are being cited only in the interest of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Applicant expressly reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that any cited reference may not be prior art.

Serial No.: 09/902,883
Title: OPTICAL MEMS SWITCHING ARRAY
WITH EMBEDDED BEAM-CONFINING
CHANNELS AND METHOD OF
OPERATING SAME

This Information Disclosure Statement (IDS) is being filed under 37 C.F.R. §1.97(b)(3) as each item of information contained in this disclosure is being filed before the issuance of a first Office Action on the merits and therefore no filing fee is required. If Applicant has overlooked any fees, the Commissioner is hereby authorized to debit Deposit Account No. 19-2814 for the same. **A duplicate copy of this Information Disclosure Statement is enclosed for this purpose.**

If there are any questions concerning this IDS, the Examiner is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the United States Patent and Trademark Office is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 19-2814.

Respectfully submitted,

Date:

October 8, 2001

By:



Brett A. Carlson, Reg. No. 39,928

SNELL & WILMER, L.L.P.

One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202
P: (602) 382-6236
F: (602) 382-6070